

# Exhibit J

Transcript of the Testimony of

**Jeffry A. Dahlberg**

**Date:** June 23, 2009

Accurate Court Reporting, Inc.  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

RENE S. RYMAN, Individually,	)	
and as Personal Representative	)	
and Next-of-Kin of	)	
LOWELL EDWARD RYMAN, Deceased,	)	
	)	No. CV 08-372
Plaintiff,	)	WDS/RLP
vs.	)	
	)	
REGENTS OF THE UNIVERSITY OF	)	
CALIFORNIA f/d/b/a LOS ALAMOS	)	Deposition of
NATIONAL LABORATORY, and	)	JEFFRY A. DAHLBERG
THE ZIA COMPANY,	)	
	)	
Defendants.	)	

The videotaped deposition of JEFFRY A. DAHLBERG, taken pursuant to the provisions of the Federal Rules of Civil Procedure of the State of New Mexico, on Tuesday, the 23rd day of June, 2009, commencing at the hour of 1:55 p.m., at 7520 Blairmore Drive, in the City of Rockford and State of Illinois, as reported by Cindia L. Rossato, Certified Shorthand Reporter, (License No. 84-003031), Registered Professional Reporter, a Notary Public in and for the State of Illinois.

1 ATTORNEYS PRESENT:

2  
3  
4 MS. KAITLIN A. CLARK, of the firm  
Reich & Binstock, LLP,  
5 4265 San Felipe; Suite 1000  
Houston, TX 77027

6 appeared on behalf of Plaintiff;

7 and

8  
9 MR. BRUCE HALL, of the firm  
Rodey, Dickason, Sloan, Akin & Robb,  
10 201 Third Street, N.W.; Suite 2200  
Albuquerque, NM 87102

11 appeared on behalf of Defendant,  
12 Regents of the University of  
California, f/d/b/a Los Alamos  
13 National Laboratory;

14 and

15  
16 MR. EARL E. DeBRINE, of the firm  
Modrall, Sperling, Roehl, Harris & Sisk,  
17 500 Fourth Street NW; Suite 1000  
P.O. Box 2168  
18 Albuquerque, NM 87103-2168

19 appeared on behalf of Defendant,  
20 The Zia Company;

21  
22 ALSO PRESENT:

23 MR. CHRISTIAN WALKER, Videographer  
24 Video Memories, Rockford, IL

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1 (Whereupon, the witness was  
2 sworn by the reporter.)

3 (A discussion was had off  
4 the record.)

5 JEFFRY A. DAHLBERG,  
6 having been first duly sworn by the reporter, was  
7 examined and testified as follows:

8 E X A M I N A T I O N

9 By Mr. Hall

10 Q. Would you state your name, please.

11 A. Jeffry Allen Dahlberg.

12 Q. Are you a lawyer?

13 A. I am.

14 Q. And you are certified/licensed in what  
15 states to practice law?

16 A. I am licensed to practice law in the  
17 State of Illinois as a practicing state attorney; I  
18 am licensed in the Northern District of Illinois and  
19 the Southern District of Wisconsin, federally, to  
20 practice in the bar that way.

21 Q. Thank you. I wasn't smart enough to ask  
22 you to bring a resume with you, which you probably  
23 don't have with you?

24 A. I do not have my curriculum vitae, or

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1           A.     Initially -- are you talking about my  
2     initial client interview or are you talking about now  
3     that I -- we've made the leap and bankruptcy is going  
4     to happen and how do I proceed from there?

5           Q.     If you'd take me through the process that  
6     was used in this case.

7           A.     In this case, for me at least, I've always  
8     started with -- you always start with the real  
9     estate, at least from a bankruptcy standpoint. Do  
10    they own real estate, yes or no? If so, are the  
11    mortgages current, because that will then delineate  
12    between Chapter 7 and Chapter 13, which are the  
13    primary; is 7 an option versus is 13 something where  
14    it needs to be rehabilitated, or what's the client  
15    looking for at that point.

16                   Once you determine that there is real  
17    estate, but yet it is current, at least in terms of  
18    with the mortgage company in some way, shape, or  
19    form, then you move on to other secured debt.

20                   Then I typically move, at that point,  
21    is there priority debt, which in this case -- or in  
22    any case -- would be tax liabilities to the  
23    government, any sort of what you consider to be  
24    nondischargeable debt or do you have child support,

1 things along those lines, and I basically have a  
2 protocol that moves, "What is the debt," "How is  
3 it," and then back my way through with, "What are  
4 the assets."

5 And in Dr. Ryman's case, it's -- you  
6 had to be a touch more -- she had multiple  
7 properties, so right off the bat you're dealing with  
8 a different animal, generally, than you normally see  
9 in a typical bankruptcy, which is more assets.

10 Q. She had a home in Colorado and she had two  
11 homes --

12 A. Somewhere in McHenry County.

13 Q. Marengo, is that a town in --

14 A. It is.

15 Q. -- McHenry County? Okay.

16 A. Last stop on the train.

17 Q. How long does it take you to go through  
18 that process with a client like Dr. Ryman?

19 A. In Dr. Ryman's case, it was about an hour  
20 and a half.

21 Q. Did she bring in information that you  
22 needed, paper information?

23 A. She did. She was very well-organized.  
24 She'd also seen someone else prior to me and had been



1 have to go downtown Chicago and explain to a judge  
2 why it is that you would do that, so . . .

3 There are -- there are different  
4 forms for Chapter 13 and Chapter 11, Chapter 12, that  
5 supplement these, but these have all -- these forms  
6 apply under, I believe, Sections 1, 5, and 7.

7 Q. Would you agree with me that the -- the  
8 identification of "d/b/a Ryman Consulting, Inc.," on  
9 this first page of the petition could be confusing to  
10 a layperson looking at this document?

11 MR. DeBRINE: Object to the form.

12 THE WITNESS: Does anyone want me to  
13 answer?

14 MS. DeBRINE: You can --

15 MS. CLARK: You can answer.

16 THE WITNESS: Okay. I'm just --

17 MS. CLARK: Sorry; I should have  
18 instructed you.

19 THE WITNESS: I know that it's somewhere  
20 else -- somebody else's decision whether or not this  
21 gets in. All right. Anyway.

22 A. Yes, it could be confusing.

23 BY MS. CLARK:

24 Q. You've testified today that you keep the

1 have to go downtown Chicago and explain to a judge  
2 why it is that you would do that, so . . .

3 There are -- there are different  
4 forms for Chapter 13 and Chapter 11, Chapter 12, that  
5 supplement these, but these have all -- these forms  
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7 Q. Would you agree with me that the -- the  
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18 instructed you.

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20 else -- somebody else's decision whether or not this  
21 gets in. All right. Anyway.

22 A. Yes, it could be confusing.

23 BY MS. CLARK:

24 Q. You've testified today that you keep the

1 original documents with the original signatures; is  
2 that correct?

3 A. Correct.

4 Q. Do you provide -- is it your practice to  
5 provide your clients with copies of the petitions  
6 that you file on their behalf?

7 A. No, they do not -- if requested, I will;  
8 but they are not provided, "Here's what you filed."

9 Q. Did Rene Ryman ever request her petition  
10 that you filed on her behalf?

11 A. Not to my knowledge. She might have done  
12 it with my staff, but it wasn't with me.

13 Q. Do -- have you sent her any other  
14 documents besides the voluntary petition that you can  
15 recall?

16 A. I believe she had a couple of  
17 reaffirmation agreements that were contained within  
18 the petition itself, which is nothing more than --  
19 reaffirmation is reasserting or reestablishing your  
20 obligation on certain secured debt, which she kept;  
21 those have to be signed and filed with the court and  
22 then ultimately approved by me.

23 Q. As Dr. Ryman's bankruptcy attorney, do you  
24 have an opinion about her truthfulness or honesty?

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